## MERCONT, GOULD, SMITH, EDGLL, WELTER & Onited States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY COMBINED DECLARATION AND POWER OF ATTORNEY

below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: ENDOCARDIAL MAPPING SYSTEM

The specification of which

a. is attached hereto
b. X was filed on September 23, 1992 as application serial no. 07/950,448 and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any),

which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a) (see page 3 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$ 119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. X no such applications have been filed.

b. \_ such applications have been filed as follows:

COUNTRY	APPLICATION NUMBER	DATE OF FILING  (day, month, year)	DATE OF ISSUE  (day, month, year)
ALL E	DREIGN APPLICATIONS, IF A	NY, FILED BEFORE THE F	RIORITY APPLICATION(S
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE   (day, month, year)
		(Cay, month, year)	

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, aband	oned)
U.S. APPLICATION HOLDER			•
	<u> </u>	( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( )	

RECEIVED.

J'N 0 4 1993

APPLICATION DIVISION

I hereby appoint the following at the page (s) and/or patent agent(s) to prosecute this application and to transact all losing to the Patent and Trademark Of connected herewith:

Batsli, Brian H.	Reg. No. 32,960	Johnson, David G.	Reg. No. 31,628	Schweppach, Karl G. Schwegman, Micheal L.	Reg. No. 11. 14
Beck, Robert C.	Reg. No. 28,184		Reg. No. 32,146		Reg. No. 1
Bogucki, Raymond A.	Reg. No. 17,436	Kowalchyk, Alan W.	Reg. No. 31,535	Sebald, Gregory A.	Reg. No.
Boguere, Raymons III	Rag. No. 35,0/1	Lasky, Michael B.	Reg. No. 29,555	Smith, Phillip H.	
Brennan, Thomas F.	Reg. No. 34,130	Lundberg, Steven W.	Reg. No. 30,568	Smith, Stephanie J.	Reg. No. 3
Brusss, Steven C.	Nug. 10. 17.70	Lynch, David W.	Reg. No. P-36,204	Sorensen, Andrew D.	Reg. No. 31
Byrne, Linda M.	Rag. No. 32,404	Mau, Michael L.	Reg. No. 30,087	Stenstrom, Dennis G.	Reg. No. 72 Care
Carlson, Alan G.	Reg. No. 23,959	Maxin, John L.	Reg. No. 34,668	Strawbridge, Donglas A.	Reg. No. 2s, th
Caspers, Philip P.	Reg. No. 33,227	McDonald, Daniel W.	Reg. No. 32,044	Strodthoff, Kristine M.	Reg. No. 3-12'
Clifford, John A.	Reg. No. 30.241-		Rag. No. 32,427	Summer, John P.	Reg. No. In
Conrad, Timothy R.	Reg. No. 30,164	McDonald, Wendy M.	Reg. No. 33,968	Summers, John S.	Reg. No. 24,2.0
DiPietro, Mark J.	Rag. No. 78,707.	Michel, Michelle M.	Reg. No. 30,725	Taylor, Gregory M.	Reg. No. 3-1.51
Edell, Robert T.	Reg. No. 20,187	Moy, R. Carl		Tellekson, David K.	Reg. No. 32,
Freed, Robert C.	Reg. No. 32,309	Musting, Ann M.	Reg. No. 33,977	Underhill, Albert L.	Rag. No. 27.4
Gates, George H.	Reg. No. 33,500	Mundelius, Antony C.	Reg. No. P-35,963		Reg. No. 32,274
Golla, Charles E.	Reg. No. 26,896	Nelson, Albin J.	Reg. No. 28,650	Vandenburgh, J. Derek	Reg. No. 20,330
Gould, John D.	Reg. No. 18,223	Raasch, Kavin W.	Reg. No. 35,651	Weiter, Paul A.	Reg. No. 77,454 -
Gresens, John J.	Rag. No. 33,112	Reiland, Earl D.	Reg. No. 25,767	Williams, Douglas J.	Reg. No. 1 (454
Gresens, John J.	Reg. No. 29,165	Rothfus, Joel A.	Reg. No. 33,277	Woessner, Warren D.	Reg. No. 30,440
Hamre, Curtis B.	Reg. No. 35.183_	Schmidt, Cecil C.	Reg. No. 20,566	Wood, Gregory B.	Reg. No. 28,133
Harris, Kari S.	Rag. No. P-36-159	Schuman, Mark D.	Reg. No. 31,197		
Hassing, Thomas A.	Pag. No. 7-30-23	Schumenn, Michael D.			

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/ attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant, Gould to the contrary.

Please direct all correspondence in this case to Merchant, Gould, Smith, Edell, Welter & Schmidt at the address indicated below:

3100 Norwest Center, Minneapolis, MN 55402-4131 Telephone No. (612) 332-5300

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

	Full Name  Of Inventor	Family Name   CC	First Given Name Graydon	Second Given Name  Ernest
	Residence  & Citizenship	City  St. Paul	State or Foreign Country  Minnesota MIV	Country of Citizenship  U.S.A.
	Post Office  Address	Post Office Address  1935 Summit Avenue	City  St. Paul	State & Zip Code/Country  MN/55105/USA
_	Full Name  Of Inventor	Family Name	First Given Name  Jonathan_	Second Given Name
	Residence  & Citizenship	City  Minneapolis	State or Foreign Country  Minnesota MN	Country of Citizenship  U.S.A.
	Post Office	Post Office Address  5112 Russell Avenue South	City  Minneapolis	State & Zip Code/Country  MM/55410/USA
	Full Name  Of Inventor	Family Name	First Given Name	Second Given Name
	Residence	City St. Paul	State or Forei Country	Country of Citizenship
	Post Office	Post Office Address  2261 Gordon Avenue	City St. Paul	State & Zip Code/Country  MN/55108/USA
gr	eruje of Invent	E Beatly Signatu	re of lagentor 202	Signature of eventor 203
4		Date	12/1/02	12/11/92

or Additional Inventors:
\_\_ Indicate here and attach sheet with same information, including date and signature.

## 1.56 Duty to disclose information material to patentability.

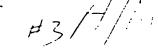
- A patent by its very nature is affected with a public interest. The public aterest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by \$5 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

## 300M

## MERCHANT, GOULD, SMITH, EDELL, WELTER & SCHMIDT United States Patent Application



COMBINED DECLARATION AND POWER OF ATTO

damed inventor I hereby declare that my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: HEART MAPPING CATHETER

The specification of which

b.  $\underline{X}$  was filed on September 23, 1992 as application serial no.  $\underline{07/949,690}$  and was amended on  $\underline{}$  (if applicable) (in the case of a PCT-filed application) described and claimed in international no. \_\_filed \_\_ and as amended on \_\_ (if any). which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, \$ 1.56(a) (see page 3 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$ 119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. X no such applications have been filed.

b. such applications have been filed as follows:

COUNTRY	APPLICATION NUMBER	DATE OF FILING  (day, month, year)	DATE OF ISSUE (day, month, year)
			•
ALL	FOREIGN APPLICATIONS, IF A	NY, FILED BEFORE THE P	RIORITY APPLICATIONS
ALL	FOREIGN APPLICATIONS, IF A	NY, FILED BEFORE THE P	RIORITY APPLICATION(S   DATE OF ISSUE   (day, month, year)
	FOREIGN APPLICATIONS, IF A	DATE OF FILING	DATE OF 12205

I hereby claim the benefit under Title 35, United States Code, \$ 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 5 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, yes	er) STATUS (patented, pending, abandoned)
U.S. MILLIAN SERVER	1	• .
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11. 11 5 1593

ADE TO ATION DIVIS

I bereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

			Reg. No. 31,628	Schwappach, Karl G.	Rug. No. 35, 35
Batzli, Brian H.	Reg. No. 32,960		Reg. No. 37, 46	Scowe mar theal L.	Ray, No. 3.1.5
Beck, Robert C.	Reg. No. 28,		Kag. 10. 321.40	Sepaid. 9 7 A.	Reg. No. 75,750
Bogucki, Raymond A.	Reg. No. 17		Reg. No. 11,535		Feg. No. 32,-19
Sogueta, Asympton	Reg. No. 35,	Lasky, Michael B.	Rag. No. 29,335	Saich, Ph P H.	
Brennan, Thomas F.	Reg. No. 34,120	andhers, Steven W.	Rag. No. 10.368	Smith, Stephanie -	Reg. No. 3-,-1
Brusss, Steven C.	Keg. No. 34,230	Lynch, David W.	Reg. No. P-36-204	Sorensen, Andrew D.	Reg. No. 11,255
Byrne, Linda M.	Reg. No. 3204		Reg. No. 10.087	Stenstrom. Dennis G.	Reg. No. 18,7.0
Carlson, Alan G.	Reg. No. 25,959		Reg. No. 34,208	Straubridge, Omiglas A.	Reg. No. 23,275
Caspers, Philip P.	Reg. No. 33,227	Magna, Jose L.	Reg. No. 32.344	Strodthorf, Kristine M.	Reg. No. 3≟:
Clifford, John A.	Reg. No. 30.247			Summer, John P.	Reg. No. 29
Course. Timothy R.	Reg. No. 30.164		Reg. No. 32-627		Reg. No. 24,210
DiPietro, Mark J.	Reg. No. 18,707	Michel, Michelle M.	Reg. No. 33,268	Summers, John S.	دَهني، ١٥٠ ، ١٥٠
	Reg. No. 20,187	Moy, R. Carl	Rag. No. 30,725	Taylor, Gregory M.	
Edeil, Robert T.	Reg. No. 32.569	Mueting, Ann M.	Reg. No. 33,977	Tellekson, David R.	Reg. No. 32,214
Freed, Robert C.	(ag10. 32.30)	Mundelius, Antony C.	Reg. No. P-35.963	Underhill, Albert L.	Reg. Sc. 27,-03
Gates, George 9.	Reg. No. 33.500		الكمه Rag. No. 28	Vandenburgh, J. Derek	Reg. No. 32,.79
Golia, Charles E.	Reg. No. 26,396	Nelson, Albin J.	Reg. No. 35.	Welter, Paul A.	Reg. No. 20,350
Could, John D.	Reg. No. 18,223	Raasch, Kevin W.		Williams, Douglas J.	Reg. No. 27,054
Gresens, John J.	Reg. No. 33,112	Reiland, Earl D.	Reg. No. 25-767		Res. No. 3040
Hamre, Curtis B.	Reg. No. 29,165	Rothrus, Joel A.	Reg. No. 33,227	Woessmer, Warren D.	Reg. No. 28,133
	Reg. No. 35,183	Schmidt, Cecil C.	Reg. No. 20,566	Wood, Gregory B.	x48 101133
Harris, Kari S.	Reg. No. P-36,159	Schuman, Mark D.	Reg. No. 31,197		
Hassing, Thomas A.	neg. No. 1-301235	Schumann Michael D.	Reg. No. 30,422		

I hereby authorize them to act and rely on instructions from and communicate directly with the person assigned attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant, Gould to the contrary.

Please direct all correspondence in this case to Merchant. Gould, Smith, Edell, Welter & Schmidt at the address indicated below:

3100 Norwest Center, Minneapolis, MN 55402-4131 Telephone No. (612) 332-5300

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

	در		Second Given Name
Full Name    Of Inventor	Family Name	First Given Name  Jonathan	
Residence	City	State or Foreign Country	Country of Citizenship
	Minneapolis	Minnesota M.	U.S.A.
Post Office	Post Office Address	City	State & Sip Code:Country
	5112 Russell Avenue South	Minneapolis	MN/55410/USA
Full Name -2	Family Name	First Given Name	Second Civen Name
	Beatty	Graydon	Ernest
Residence	City	State or Foreign Country	Country of Citizenship
& Citizenship	St. Paul	Minnesota	U.S.A.
Post Office	Post Office Address	City	State & Zip Code/Country
	1935 Summir Avenue	St. Paul	MN/55105, USA
Full Name   7	Family Name   Budd	First Given Name Jeffrey	Second Given Name
Residence	City	State or Foreign Country	Country of Citizenship  U.S.A.
Post Office	Post Office Address	City	State & Zip Code/Countr
	2261 Gordon Avenue	St. Paul	MN/55108/USA
mature of leven	tor 201  Signar	re of Inventor 202 Realty	Signature of Inventor 203
,	Date	12/11/02	10atg 12/11/42

For Additional Inventors:
\_\_ Indicate here and attach sheet with same information, including date and signature.

1.56 Duty to disclose information material to patentability.

A patent by its very nature is affected with a public interest. The public interest is best served, and the most effect we patent examination occurs when, at the time an application is being examined, the Office is award of an iteratures the teachings of all information was material to patentability. Each individe associated with the triins, an iterature prosecution of a patent application has a duty of candor and good taith in dealing with the Office, which increases a duty prosecution of the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by \$1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

Revised 9/16/92